

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Dee Brown, on March 20, 2017 at 3:00 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Dee Brown, Chair (R)
Sen. Douglas (Doug) Kary, Vice Chair (R)
Sen. Sue Malek (D)
Sen. Frank Smith (D)
Sen. Nels Swandal (R)
Sen. Gordon Vance (R)
Sen. Lea Whitford (D)

Members Excused: Sen. Ryan Osmundson (R)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Rachel Weiss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 255, 3/13/2017; HB 283, 3/13/2017; HB 333, 3/13/2017; HB 383, 3/13/2017; HJ 12, 3/13/2017
Executive Action: Be Concurred In: HB 103
Tabled: HB 448

00:00:05 Chair Brown

EXECUTIVE ACTION ON HB 103

00:00:53 **Motion:** Sen. Vance moved that **HB 103 BE CONCURRED IN.**

Discussion:

00:01:03 Chair Brown

00:03:19 Sen. Swandal

00:03:25 Chair Brown

00:03:44 **Vote:** Motion carried 7-1 by voice vote with Sen. Vance voting no. Sen. Osmundson voted by proxy. Sen. Malek will carry the bill.

EXECUTIVE ACTION ON HB 448

00:04:28 **Motion:** Sen. Vance moved that **HB 448 BE CONCURRED IN.**

00:04:37 **Motion:** Sen. D. Brown moved that **HB 448 BE AMENDED.**

EXHIBIT(sts57a01)

Discussion:

00:05:18 Chair Brown

00:05:47 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson voted by proxy.

00:06:04 **Motion:** Sen. Vance moved that **HB 448 BE CONCURRED IN AS AMENDED.**

Discussion:

00:06:19 Sen. Kary

00:06:46 Sen. Malek

00:07:13 Chair Brown

00:07:32 Sen. Malek

00:07:57 Rachel Weiss, Legislative Services Division (LSD)

00:08:19 Chair Brown

00:08:37 Ms. Weiss, LSD

00:09:30 **Vote:** Motion failed 3-5 by roll call vote with Sen. Malek, Sen. F. Smith and Sen. Whitford voting aye. Sen. Osmundson voted by proxy.

00:10:01 **Motion/Vote:** Sen. Vance moved that **HB 448 BE TABLED AND THE VOTE REVERSED.** Motion carried 4-3 by voice vote with Sen. Malek, Sen. F. Smith and Sen. Whitford voting no.

HEARING ON HB 333

Opening Statement by Sponsor:

00:10:58 Rep. Frank Garner (R), HD 7, opened the hearing on HB 333. Adopt the Help Save Lives from Overdose Act.

Proponents' Testimony:

00:14:20 Bill Gallea, emergency physician, Helena and Lewistown; president, Montana Medical Association (MMA)

00:23:00 Greg Holzman, physician, Department of Public Health and Human Services (DPHHS)

00:25:19 James Burkholder, physician, State Board of Medical Examiners

00:26:04 Greg Dorrington, Montana Medical Association

EXHIBIT(sts57a02)

00:30:37 Bryan Lockerby, administrator, Division of Criminal Investigation, Department of Justice

00:31:27 Stuart Doggett, Montana Pharmacy Association

00:32:29 Kevin Olson, administrator, Division of Probation and Parole, Department of Corrections

00:33:25 Mark Murphy, Montana Association of Chiefs of Police, Montana Police Protective Association

00:34:01 Mike Foster, five Catholic Hospitals in Montana

00:34:30 Aimee Grmoljez, Billings Clinic; also speaking for Abigail St. Lawrence, Montana Association of Naturopathic Physicians

00:35:02 Jessie Luther, Benefis Health System

00:35:44 Clint Houston, officer, Great Falls Police Department

00:38:25 Aidan Myhre, Kalispell Regional Medical Center

Opponents' Testimony:

00:39:19 Al Smith, Montana Trial Lawyers Association

Informational Testimony:

00:42:22 Marcie Bough, executive officer, Montana Board of Pharmacy

00:42:58 Harry Sibold, physician, Montana Board of Medical Examiners

Questions from Committee Members and Responses:

00:43:57 Sen. Swandal

00:44:28 Mr. Holzman, DPHHS

00:45:22 Sen. Kary

00:47:45 Mr. Gallea, MMA

Closing by Sponsor:

00:48:18 Rep. Garner

00:49:51 Chair Brown

HEARING ON HJ 12

Opening Statement by Sponsor:

00:50:50 Rep. Andrea Olsen (D), HD 100, opened the hearing on HJ 12. Resolution encouraging Congress to require audit of Pentagon and Federal Reserve.

[EXHIBIT](#)(sts57a03)

[EXHIBIT](#)(sts57a04)

Proponents' Testimony: None

Opponents' Testimony:

00:59:16 Becky Convery, attorney, Helena

[EXHIBIT](#)(sts57a05)

Informational Testimony: None

Questions from Committee Members and Responses:

01:08:29 Chair Brown

01:11:49 Ms. Convery, attorney

01:13:11 Sen. Malek

01:16:11 Rep. Olsen

Closing by Sponsor:

01:18:03 Rep. Olsen

01:20:51 Chair Brown

HEARING ON HB 283

Opening Statement by Sponsor:

01:21:09 Rep. Tom Burnett (R), HD 67, opened the hearing on HB 283. Require agencies to report grant information.

[EXHIBIT](#)(sts57a06)

Proponents' Testimony: None

Opponents' Testimony:

01:25:26 Erica Johnston, operations management officer, Department of Public Health and Human Services (DPHHS)

01:35:15 Ron Baldwin, chief information officer, Department of Administration (DOA)

Informational Testimony: None

Questions from Committee Members and Responses:

01:30:12 Sen. Kary
 01:33:43 Mr. Baldwin, DOA
 01:35:56 Sen. Kary
 01:36:36 Ms. Johnston, DPHHS
 01:37:11 Sen. Smith
 01:37:14 Mr. Baldwin redirect
 01:37:54 Sen. Smith
 01:39:01 Ms. Johnston
 01:39:38 Chair Brown
 01:42:00 Ms. Johnston
 01:42:27 Sen. Whitford
 01:43:47 Ms. Johnston
 01:44:14 Chair Brown
 01:44:33 Ms. Johnston
 01:45:00 Chair Brown
 01:46:02 Rep. Burnett

Closing by Sponsor:

01:46:33 Rep. Burnett
 01:48:23 Chair Brown

HEARING ON HB 383

Opening Statement by Sponsor:

01:48:50 Rep. Geraldine Custer (R), HD 39, opened the hearing on HB 383. Provide actuarial required funding for Sheriff's Retirement System.

[EXHIBIT\(sts57a07\)](#)

Proponents' Testimony:

01:53:53 Allen Fulton, sheriff, Rosebud County; Montana Sheriffs and Peace Officers Association
 01:57:27 Sheryl Wood, associate director, Montana Association of Counties

[EXHIBIT\(sts57a08\)](#)

02:01:59 William Holahan, legal counsel, Montana Public Employees' Retirement Administration (MPERA)
 02:03:20 Brian Gootkin, sheriff, Gallatin County; Montana Sheriffs and Peace Officers Association
 02:06:08 Marvin Weber, deputy, Lewis and Clark County Sheriff's Office
 02:08:26 Brian Inman, past president, Association of Montana Troopers
 02:09:54 Jerry Williams, Montana Police Protective Association
 02:13:37 Dave Galt, Association of Montana Public Retired Employees

02:14:06 Tom Schneider, Montana Public Employees Association
02:15:49 Jessie Luther, Montana Sheriffs and Peace Officers Association (MSPOA)
[EXHIBIT](#)(sts57a09)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:17:11 Sen. Kary
02:17:40 Ms. Luther, MOPOA
02:18:09 Sen. Swandal
02:18:57 Mr. Holahan, MPERA redirect
02:19:23 Melanie Symons, chief legal counsel, Montana Public Employees' Retirement
Administration (MPERA)
02:20:08 Sen. Swandal
02:20:33 Ms. Symons, MPERA
02:21:03 Sen. Smith
02:22:00 Rep. Custer
02:22:18 Chair Brown
02:22:34 Rep. Custer

Closing by Sponsor:

02:23:03 Rep. Custer
02:25:57 Chair Brown

HEARING ON HB 255

Opening Statement by Sponsor:

02:26:52 Rep. Brad Tschida (R), HD 97, opened the hearing on HB 255. Revise laws related to the governor's use of state aircraft.

Proponents' Testimony: None

Opponents' Testimony:

02:29:30 Jonathan Motl, Commissioner of Political Practices (COPP)
[EXHIBIT](#)(sts57a10)

Informational Testimony: None

Questions from Committee Members and Responses:

02:33:54 Chair Brown
02:34:05 Rep. Tschida
02:34:22 Sen. Kary

02:36:53	Rep. Tschida
02:37:18	Chair Brown
02:37:46	Rep. Tschida
02:38:00	Sen. Smith
02:39:01	Rep. Tschida
02:40:01	Sen. Malek
02:40:49	Mr. Motl, COPP
02:42:09	Sen. Malek
02:46:10	Rep. Tschida

Closing by Sponsor:

02:46:19	Rep. Tschida
02:47:29	Chair Brown

ADJOURNMENT

Adjournment: 5:59 PM

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([sts57aad.pdf](#))